

## FOR THE RELIEF OF CASA ANGELICA MENTAL RETARDATION FACILITY

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AUGUST 11, 1970.—Ordered to be printed

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Mr. YARBOROUGH, from the Committee on Labor and Public Welfare,  
submitted the following

### REPORT

[To accompany S. 1196]

The Committee on Labor and Public Welfare, to which was referred the bill (S. 1196) for the relief of the Casa Angelica Mental Retardation facility of Albuquerque, N. Mex., having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### SUMMARY

As reported by the Committee on Labor and Public Welfare, S. 1196 would allow the Casa Angelica Mental Retardation Facility of Albuquerque, N. Mex., to apply for a construction grant under the Mental Retardation Facilities Construction Act (42 U.S.C. 2671 et seq.) in spite of the fact that construction of the facility has been completed. At present, the State of New Mexico may not accept and act upon a construction grant application with respect to any facility where construction has been completed. S. 1196 would waive this pre-construction submission requirement in the case of this facility.

S. 1196 prohibits any grant to the Casa Angelica Mental Retardation Facility which would be in excess of the outstanding indebtedness of the facility at the time the application is approved.

S. 1196 does not amend any existing statutes.

#### BACKGROUND

Under pressure of parents with severely retarded children who could not have them admitted to the State facility because of long waiting lists, Casa Angelica did not apply for funds under the Mental Retardation Facilities Construction Act prior to the commencement of construction. Time was of the essence and construction began in May,

1966, and was completed in January, 1967. Had the facility complied with pre-construction application requirements, the completion and operation of the facility would have been delayed significantly. This failure to submit an application prior to the commencement of construction now precludes this facility from being considered for a grant under the act. S. 1196 would only allow this facility to submit an application to the State and be given a priority rating by the State Advisory Council and Health and Social Services Board. Casa Angelica would then have to compete with other applicants in the State for the funds to which New Mexico is entitled under the act.

S. 1196 neither amends the Mental Retardation Facilities Construction Act nor affects New Mexico's entitlement to Federal funds under the act.

The Department of Health, Education, and Welfare support for this legislation is contained in the following report:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,  
August 11, 1969.

HON. RALPH YARBOROUGH,  
*Chairman, Committee on Labor and Public Welfare,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in response to your request of March 4, 1969, for a report on a bill for the relief of the Casa Angelica Mental Retardation Facility of Albuquerque, N. Mex.

S. 1196 would provide that the existing Casa Angelica Mental Retardation Facility of Albuquerque, N. Mex., could apply for a construction grant under the Mental Retardation Facilities Construction Act. Such application would then be considered as if it had been received prior to the commencement of construction. The facility would have to submit an application to the State Advisory Council and the Health and Social Services Board. The Casa Angelica Mental Retardation Facility would have to compete with other applicants in the State for the funds for which New Mexico is entitled.

One of the primary purposes of the mental retardation construction program is to promote new and increased community mental retardation services. Consequently, we generally do not approve of extension of assistance with respect to facilities which have been constructed before or without the benefit of the process provided under this program. However, enactment of this bill would make possible the extension of assistance to the Casa Angelica facility which will help its sponsors meet the heavy indebtedness they incurred in expediting its construction by not waiting for Federal assistance under the program; it would thereby help this facility in its commendable effort to provide needed services for mentally retarded children. In light of the circumstances, we would not object to the enactment of S. 1196.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ROBERT H. FINCH,  
*Secretary.*

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